

1 Elizabeth M. Pappy (SBN 157069)
2 Email: epappy@bwslaw.com
3 BURKE, WILLIAMS & SORENSEN, LLP
4 1503 Grant Road, Suite 200
5 Mountain View, CA 94040-3270
6 Tel: 650.327.2672
7 Fax: 650.688.8333

5 Donnelly A. Gillen (SBN 260194)
6 Email: dgillen@bwslaw.com
7 BURKE, WILLIAMS & SORENSEN, LLP
8 1901 Harrison Street, Suite 900
Oakland, CA 94612-3501
Tel: 510.273.8780
Fax: 510.839.9104

9 Attorneys for Defendants and Cross-Defendants
10 HOWARD MISLE, CORNERSTONE NEVADA,
LLC, and AMERICAN METAL GROUP, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WELLS FARGO BANK, N.A.,

Plaintiff,

V.

AMERICAN METAL GROUP, INC., a California Corporation; CORNERSTONE NEVADA, LLC, a Nevada Limited Liability Company; HOWARD MISLE, an individual; SCHNITZER STEEL INDUSTRIES, INC., an Oregon Corporation; NICO ALLOYS, INC., a California Corporation; LARRY LEVINE, an individual; DENYSE MACMILLAN, and individual; and DOES 1 through 10, inclusive.

Defendants.

Case No. 4:16-cv-03614-JSW

**REQUEST AND [PROPOSED] ORDER ON
CASE MANAGEMENT CONFERENCE
AND ADMONISHING COUNSEL**

CMC Date: June 16, 2017
Time: 11:00 a.m.
Courtroom: 5
Judge: Hon. Jeffrey S. White

Defendants and Cross-Defendants Howard Misle, Cornerstone Nevada, LLC, and American Metal Group, Inc. hereby request a brief extension of the June 1, 2017 Case Management Conference or permission for substitute counsel to appear on their behalf. Elizabeth

1 M. Pappy is trial counsel for these parties and cannot attend the June 16, 2017 Case Management
2 Conference due to a scheduling conflict with another case. Should the Court require Ms. Pappy's
3 attendance, the parties request a brief extension of the Conference date. In the alternative, the
4 parties request that the Court allow Donnelly A. Gillen, Esq. to attend the conference in Ms.
5 Pappy's stead. Ms. Gillen is intimately involved in the action and will be able to adequately
6 discuss the litigation's status.

7 Dated: May 17, 2017

Respectfully submitted,

8
9 BURKE, WILLIAMS & SORENSEN, LLP

10 By: /ss/ Donnelly A. Gillen

11 Donnelly A. Gillen

12 Attorneys for Defendants and Cross-Defendants
13 HOWARD MISLE, CORNERSTONE NEVADA,
14 LLC, and AMERICAN METAL GROUP, INC.

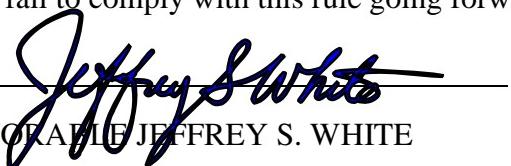
15 **[PROPOSED] ORDER**

16 The Judgment Debtors have not opposed the request to allow alternate counsel to appear.

17 Due to a scheduling conflict for trial counsel of Howard Misle, Cornerstone Nevada,
18 LLC, and American Metal Group, Inc., the Court hereby continues the June 16, 2017 Case
19 Management Conference to _____, 2017 at ____ a.m./p.m. in Department 5.

20 [OR]

21 Due to a scheduling conflict for trial counsel of Howard Misle, Cornerstone Nevada,
22 LLC, and American Metal Group, Inc., the Court will hereby permit Donnelly A. Gillen, Esq. to
23 appear at the June 16, 2017 Case Management Conference on the parties' behalf. Ms. Gillen must
24 must have the authority on Ms. Pappy's behalf to set further dates and deadlines in this matter.
25 Counsel have previously been advised that the Court does not accept letter briefs unrelated to discovery.
26 Dated: May 23, 2017 See Docket No. 50. If the parties fail to comply with this rule going forward, the
27 Court simply shall not act on a request made in a
28 letter brief.


HONORABLE JEFFREY S. WHITE